

DOCKET FILE

ORIGINAL

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF GENERAL COUNSEL**memorandum**

TO: Director, Reference Information Center
Chief, Media Bureau

FROM: *DMA*
Daniel M. Armstrong
Associate General Counsel

SUBJECT: *Greg Ruggiero v. FCC & USA*, No. 02-1608. Filing of a Petition for Writ of Certiorari in the Supreme Court of the United States.

DATE: May 20, 2003

This is to advise you that, on May 1, 2003, Greg Ruggiero filed a Petition for Writ of Certiorari in the Supreme Court to review the *en banc* decision of the United States Court of Appeals for the D.C. Circuit (317 F.3d 239) rejecting challenges to the constitutionality of the character qualification provision of the Radio Broadcasting Preservation Act of 2000, which makes ineligible for a low-power FM radio license anyone who engaged in "the unlicensed operation of any station in violation of ... the Communications Act of 1934."

The Court has docketed this case as No. 02-1608. The attorney assigned to handle the litigation of this case is C. Grey Pash, Jr.